REMARKS

Applicant has carefully reviewed the Office Action dated December 29, 2003. Claims 1-4, 8-19 and 23-30 are pending in this application. Applicant has amended Claims 1 and 16 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 1-4, 8-19 and 23-30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Leatherman* in view of *Goodwin III*. This rejection is respectfully traversed with respect to the amended claims.

Applicant' present inventive concept, as set forth by the amended claims, is directed toward a system that provides for transmission of programming information and additional news and the such to a fuel dispensing system for later display to a customer. This is stored there such that a customer, once they have arrived, has access to that information without requiring the bandwidth to go to a central location for access thereto wherein the information can immediately be presented to the consumer upon entering into a fuel transaction. The user provides information as to their user ID, which information is then sent to central office. The central office then returns a profile word or control word that is utilized to merge both programming information and advertising information for that particular user, i.e., there is a customization process. This is done by utilizing the profile or control word which has a plurality of bits to provide the control information therefore. Thus, it is not necessary to maintain all of the profile information locally and, if it is necessary to download profile information due to the fact that is not locally cached, then the system configures this in the form of the profile or control word, which profile or control word is generated in accordance with profile information stored at a central office. By utilizing a much smaller control word, it is possible to control the presentation of the information to the user without requiring a large amount of bandwidth.

The *Leatherman* reference is a reference that provides a system that has a transponder provided to the user. This transponder can have contained therein user information, which user information can be utilized by the fuel dispensing system to personalize a fueling operation on a customer-by-customer

basis. In Column 36, Line 45, it is set forth that this customization is done by interrogating the transponder and receiving therefrom customer preferences or an ID. This allows the dispenser or associated control system to access various customer preferences and the such. It is set forth that the fuel dispenser cooperates with a central control system and a remote network as necessary to receive an access customer preferences. These customer preferences also are able to be directly downloaded from the transponder. Further, at Column 15, beginning at line 5, it is set forth that the controller can obtain benefit information, including loyalty points, from an associated database anywhere within the fueling environment or from a remote network. Thus, *Leatherman* provides for access to remotely stored customer preferences in response to receiving an ID from a transponder. However, as noted by the Examiner, the method for merging the operation together is not done in accordance with a controller or a profile word which is received from a remote location. The Examiner has utilized the *Goodwin* reference to provide this aspect of Applicant's present invention.

The *Goodwin* reference is a reference directed toward providing an encoded word utilizing less bits. Since hexadecimal data can be transmitted as separate characters, there are translation tables provided which allow for messages that are to be displayed to be transmitted in an encoded manner. This is described specifically at Column 4, beginning of line 46. In this description, if a message for display is to be transmitted, the entire message is basically transmitted by transmitting one hexadecimal character for each letter of the message, including spaces. There is no control information for controlling what previously stored information is to be displayed; rather, each character to be displayed is basically transmitted. Any control would be provided separately therefrom in accordance with just hexadecimal commands. The control is separate from the message displayed, as noted by the text of Column 3, Lines 6-8. As such, *Goodwin* is nothing more than a method for transmitting an encoded message and there is nothing that would suggest that one would utilize the encoded word for the purpose of controlling a merging operation wherein updated information and advertising information were assembled in a predetermined order, due to the fact that this is a certain customer and that profile word or control word is associated with the customer's preferences. Therefore, Applicant believes that the combination of the *Goodwin* reference and the *Leatherman* reference, taken singularly or in combination, does not obviate or anticipate Applicant's present inventive concept, as defined by the amended claims and, therefore,

Applicant respectfully requests the withdrawal of the 35 U.S.C. 103(a) rejection with respect to Claims 1-4, 8-19 and 23-30.

Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/BLBV-24,759 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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